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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 CITY OF SEATTLE,

14 Defendant.

CASE NO. C12-1282JLR

ORDER DENYING MOTION TO  
INTERVENE

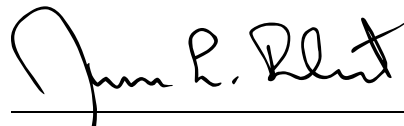
15 Before the court is nonparty Isabelle Kerner's motion to intervene. (Mot. (Dkt. #  
16 460).) Ms. Kerner is proceeding *pro se*, and the court liberally construes her filing as a  
17 motion to intervene in these proceedings and a supporting memorandum.

18 Under Federal Rule of Civil Procedure 24(a), to intervene in this action as of right,  
19 Ms. Kerner must establish that she has (1) "an unconditional right to intervene by a  
20 federal statute," or (2) "an interest relating to the . . . transaction that is the subject of the  
21 action." Fed. R. Civ. P. 24(a). To intervene permissively under Rule 24(b), Ms. Kerner  
22 must show that she has (1) "a conditional right to intervene by a federal statute," or (2) "a

1 claim or defense that shares with the main action a common question of law or fact.”  
2 Fed. R. Civ. P. 24(b)(1). The burden is on the proposed intervenor to demonstrate that  
3 the conditions for intervention are satisfied. *United States v. Alisal Water Corp.*, 370  
4 F.3d 915, 919 (9th Cir. 2004).

5 Ms. Kerner fails to demonstrate that the conditions for either intervention as of  
6 right or for permissive intervention are met. *See* Fed. R. Civ. P. 24(a)-(b)(1).  
7 Accordingly, the court DENIES her motion to intervene (Dkt. # 460). Further, the court  
8 DIRECTS the Clerk to refrain from placing any future filings by Ms. Kerner on the  
9 docket for this case, unless the filing is a motion for reconsideration or a notice of appeal  
10 of this order.

11 Dated this 19th day of July, 2018.

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14 JAMES L. ROBART  
15 United States District Judge  
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